GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MINES & MINERALS – Mining Lease for Mica, Quartz, Feldspar & Vermiculate over an extent of 13.921 Hects in Sy.Nos. 95 (E) old No. 79 etc., of Pokandla Village, Sydapuram Mandal, SPSR Nellore District held by Sri. Rudrapati Narendra Kumar (Legal heir of Rudrapati Joshi) - Declared as lapsed under Rule 28 (1) of M.C.Rules, 1960/Rule 20 of Minerals (OAHCE) Concession Rules, 2016 - Orders – Issued.

INDUSTRIES & COMMERCE (M.III) DEPARTMENT

G.O.MS.No. 167 **Dated: 28-11-2017**

Read the following:

1. G.O.Ms.No.467, Ind & Com (M.I) Dept., dt.26.11.2002.
2. From the Director of Mines & Geology, Government of A.P., Vijayawada file bearing No.21029/R3-1/17, dt.26.07.2017
3. Govt. Memo No.7164/M.III (2)/2017, dt.01.08.2017

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O R D E R :

In the reference 1st read above, Government have granted a Mining Lease for Mica, Quartz, Feldspar & Vermiculate over an extent of 13.921 Hects in Sy.Nos. 95 (E) old No. 79 etc., of Pokandla Village, Sydapuram Mandal, SPSR Nellore District in favour of Sri. Rudrapati Joshi for a period (20) years and the lease was executed on 15.12.2012.

2. In the reference 2nd read above, the Director of Mines & Geology, Government of A.P., Vijayawada has submitted proposals for lapsing the lease held by Sri. Rudrapati Narendra Kumar (Legal heir of Rudrapati Joshi) under Rule 28(1) of M.C. Rules, 1960/Rule 20 of Minerals (OAHCE) Concession Rules, 2016 on the following grounds for consideration of the Government :

i) The lessee firm is not maintaining any accounts at mine site and not shown any records.

ii) The lessee firm is not maintaining boundary marks and pillars around the leased area shown in the plan annexed to the lease deed sketch.

iii) As per the Rule 31 of M.C. Rules, 1960 in Form – K Lease Deed conditions Part – VII (10) and (11), the lessee shall at all time during the said term keep or cause to be kept at an office to be situated upon near the said lands correct and intelligible books of accounts which shall contain accurate entries showing, from time to time and accurate records of all trenches, pits and drillings. But, the lessee has not maintained any office nearer to mine and no responsible person is available at mine site during the day of inspection.

iv) Not maintained any Form-B register where the particulars of the employees working in the mine are to be entered with photos and it is a statutory register which is a violation of Rule 77 of Mines Rules, 1955. Whenever if any accident occurred in the mine, it is the authenticated register for payment of compensation.

v) As seen from the field the lessee firm is not following the Mines Act, 1952 and MMDR Act, 1988.

vi) As seen from the field the lessee firm is not taking up mining operations.

vii) As per the records, the lease holder is not conducting mining operations as well as not obtaining the dispatch permits since last 3 years and simply kept the mine idle.

viii) The lease holder has not submitted monthly and annual returns in F-9 and H-9 since execution onwards.

ix) The lease holder has not obtained Environmental Clearance issued by Ministry of Environment and Forest and consent for operations issued Andhra Pradesh Pollution Control Board.

x) The lessee is not having any valid Mining Scheme and progressive mine closure plan which is required under rule 12 and 23 b(1) of MCDR Rules, 1988 and not submitted any Financial Assurance which is required under Rule 23(F)(1) of MCDR Rules,1988.

3. Government after considering the report of the Director of Mines & Geology, Government of A.P., Vijayawada, proposed to lapse the above mining lease held by Sri. Rudrapati Narendra Kumar (Legal heir of Rudrapati Joshi) and accordingly, a show cause notice was issued to the lessee in the reference 3rd read above under Rule 28 (1) of M.C. Rules, 1960/ Rule 20 of Minerals (OAHCE) Concession Rules, 2016 as to why the Mining Lease held by them shall not be declared as lapsed, and submit their explanation/ representation within 15 days failing which duly construed that she has no explanation/ representation on the action proposed and further action will be taken on the material available with the Government. The above Show Cause Notice has been received by the lease holder on 05.08.2017 and he has not given any reply to the Show Cause Notice.

4. Government after careful examination of the matter have decided to declare the Mining Lease for Mica, Quartz, Feldspar & Vermiculate over an extent of 13.921 Hects in Sy.Nos. 95 (E) old No. 79 etc., of Pokandla Village, Sydapuram Mandal, SPSR Nellore District held by Sri. Rudrapati Narendra Kumar (Legal heir of Rudrapati Joshi) as lapsed under Rule 28 (1) of M.C.Rules, 1960/Rule 20 of Minerals (OAHCE) Concession Rules, 2016 as the lessee has committed the breaches mentioned at Para-2 above.

6. The Director of Mines & Geology, Government of A.P., Vijayawada shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. SREEDHAR
SECRETARY TO GOVERNMENT (MINES)

To
Sri. Rudrapati Narendra Kumar, S/o (Late) Rudrapadi Joshi,
D.No. 12-13-143, Old Police Line, Islampet, Vijayawada, Krishna Dist - (BY RPAD)

The Director of Mines & Geology, Government of A.P., Vijayawada (w.e.file)
Copy to:
The Assistant Director of Mines & Geology, SPSR Nellore District.
The District Collector, SPSR Nellore District.
The Secretary to Govt. of India, Ministry of Mines, Sastry Bhavan, New Delhi - 110001.
The Controller General, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur - 440001.
The Director General, Mines Safety, Dhanbad, Jarkand.
The Regional Controller of Mines, Koti, Hyderabad.
SF/SCs. (C.No.7164/M.III(2)/2017)

//FORWARDED::BY ORDER//

SECTION OFFICER